

# EXHIBIT “A”

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
BETTY-JEAN FORRY,

**SUMMONS**

Plaintiff,

**Index No.:**

- against -

**Date Filed:**

TARGET CORPORATION,

Defendants,

-----X  
TO THE ABOVE NAMED DEFENDANT(s):

***YOU ARE HEREBY SUMMONED*** to appear in this action by serving a notice of appearance on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service, or within 30 days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of the venue designated is plaintiff's place of residence

Dated: Garden City, New York  
February 18, 2020

Your, etc.

Decolator, Cohen & DiPrisco, LLP



By: Dominic DiPrisco, Esq.  
Attorneys for Plaintiff  
1399 Franklin Avenue, Suite 300  
Garden City, New York 11530  
(516) 742-6575

DEFENDANT'S ADDRESS:

TARGET CORPORATION  
1149 Sunrise Highway  
Copiague, New York 11726

TARGET CORPORATION  
c/o Secretary of State  
Albany, New York

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
BETTY-JEAN FORRY,

Index No.:

Plaintiff,

-against-

**VERIFIED  
COMPLAINT**

TARGET CORPORATION,

Defendant.  
-----X

Plaintiff, by her attorneys Decolator, Cohen & DiPrisco, LLP, for her Verified  
Complaint, respectfully alleges, upon information and belief, as follows:

**AS AND FOR A FIRST CAUSE OF ACTION ON  
BEHALF OF THE PLAINTIFF**

1. At all times hereinafter mentioned, plaintiff was and still is a resident of the  
County of Nassau, State of New York.

2. Upon information and belief, defendant, TARGET CORPORATION, was and  
still is a domestic business corporation, duly organized and existing under and by virtue of the  
laws of the State of New York.

3. Upon information and belief, defendant, TARGET CORPORATION, was and  
still is a foreign business corporation, duly organized and existing under and by virtue of the  
laws one of the states of the United States of America and was and still is duly authorized to do  
business in the State of New York.

4. Upon information and belief, at all times hereinafter mentioned the defendant,  
TARGET CORPORATION, did and/or transacted business in the State of New York and, in fact,  
derived a substantial portion of its income from its business activities in the State of New York.

5. Upon information and belief, at all times hereinafter mentioned, the defendant, TARGET CORPORATION, did business in the State of New York.

6. Upon information and belief, at all times hereinafter mentioned, defendant, TARGET CORPORATION, was the owner of the premises located at 1149 Sunrise Highway, in the County of Suffolk, State of New York, and, more specifically entrance of the store.

7. Upon information and belief, at all times hereinafter mentioned, defendant, TARGET CORPORATION, was a tenant, lessee and/or was in lawful possession of the afore-described premises.

8. That upon information and belief, at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees operated and controlled the afore-described premises.

9. Upon information and belief, at all times hereinafter mentioned, defendant, TARGET CORPORATION, its agents, servants and/or employees, maintained and managed the afore-described premises.

10. On or about March 4, 2019, the plaintiff was lawfully on, near or about the aforesaid premises of the defendant herein referred to at the expressed and/or implied invitation of the defendant.

11. Upon information and belief, at all times hereinafter mentioned, defendant, its agents, servants and/or employees, were charged with the duty of keeping the said entrance and the entire area constituting said premises in a safe and proper condition, sufficient to protect those lawfully in and about the premises and that the defendant owed such a duty to the plaintiff.

12. On or about March 4, 2019, while the plaintiff was lawfully on, near or about the entrance of the premises of the defendant, and located 1149 Sunrise Highway, Copiague and solely by reason of the carelessness and negligence of said defendant, its agents, servants and/or employees as hereinafter set forth, the plaintiff was caused to slip and/or fall, causing her to sustain serious personal injuries.

13. At the time and place aforesaid, defendant, its agents, servants and/or employees, breached the duties which they owed to the plaintiff of keeping the entrance, property and premise in the said location in a safe and proper condition sufficient to protect those lawfully in and about the premises.

14. Defendant, its agents, servants and/or employees were careless, reckless, negligent and grossly negligent in the ownership, operation, maintenance, control, supervision, management and inspection of the premises and entrance; in causing, permitting and allowing the premises and entrance to be, become and remain in an unsafe condition; in causing, permitting and allowing the ground surface at the premises and/or entrance to be covered in ice, snow and/or other slippery material; in causing, permitting and allowing the ground surface at the premises and/or entrance to be slick, wet, icy, snowy and/or slippery; in causing, permitting and allowing the plaintiff to slip and fall on the premises and entrance; in causing, permitting and allowing the premises and entrance to be slippery and icy; in failing to clear the entrance of snow and/or ice; in failing to properly, adequately or completely clear the entrance of ice and/or snow; in failing to salt and/or sand the entrance; in failing to properly, adequately or completely salt and/or sand the entrance; in failing to provide plaintiff with safe passage; in causing, permitting and allowing a trap to be and remain; in failing to abate a nuisance; in failing to keep

a dangerous condition from existing and being present; in failing to set up warnings, hazard signs, cones, barriers or safeguards around the dangerous, hazardous and trap like condition; in failing to give plaintiff warning or signal of the dangerous, hazardous and trap like condition; in failing to properly inspect the premises and entrance; in failing to properly assess the conditions at the premises and entrance; in failing to take steps to reduce or diminish the dangers posed to the plaintiff by the conditions of the premises and entrance; in owning, supervising, managing, maintaining, repairing, inspecting and controlling the aforementioned premises and entrance with reckless disregard for the safety of those persons reasonably expected to be and remain thereat, including the plaintiff; in failing to properly place mats/runners that cover the whole entrance; in failing to inspect and/or adequately and properly inspect the premises and entrance; in allowing and permitting these conditions to exist for an extended period of time, and when defendant knew or should have known that serious personal injury to the plaintiff would or could ensue; in failing to adequately and properly manage and maintain the premises and entrance to prevent the development of a dangerous, hazardous and trap like condition; in violating each and every law, statute, rule, regulation, code and ordinance then and there in effect and existing; in shirking their responsibility with respect to the prevention of foreseeable accidents; and in general being negligent, reckless, grossly negligent and careless. Defendant violated New York State rules and regulations and Suffolk County buildings rules and regulations, rules on means of ingress/egress with regards to maintaining, inspecting and operating the entrance of a building in a safe manner and failing to maintain the entrance in a safe manner. The Court will take judicial notice of all applicable statutes, rules, regulations and codes violated.

15. The defendant, its agents, servants, employees and/or subcontractors, were negligent in that they negligently and carelessly maintained their premises and caused the entrance in the area where the plaintiff became injured to be and remain in a dangerous, unsafe, and obstructed condition for an unreasonable length of time after having due notice thereof; causing, permitting and/or creating a dangerous, entrapping and negligent condition to exist, and in failing to warn members of the public of the existence of such dangers.

16. Upon information and belief, at all times hereinafter mentioned, defendant, its agents, servants, employees, and/or subcontractors, had actual and/or constructive notice of all of the foregoing defective and negligent conditions existing in the premises involved herein.

17. The injuries sustained by the plaintiff herein were sustained without any fault, want of care and/or culpable conduct on the part of the plaintiff herein but solely by virtue of the negligence and carelessness of the defendant herein.

18. Solely by reason of the foregoing, and the carelessness and the negligence of the defendant, its agents, servants, employees and/or subcontractors, the plaintiff was rendered sick, sore, lame and disabled, suffered great pain, shock and anguish, both internally and externally, and has, upon information and belief, been permanently injured.

19. As a result of the aforesaid occurrence and solely by reason of the carelessness and negligence of the defendant herein, the plaintiff became totally disabled for a period of time and verily believes that such disability will continue for some time in the future all to her further damage.

20. As a result of the aforesaid occurrence and by reason of the carelessness and negligence of the defendant herein, the plaintiff was unable to perform her usual activities and was prevented from doing so all to her further damage.

21. By reason of the carelessness and solely by reason of the negligence of the defendant herein, the plaintiff was obliged to and did necessarily pay and become liable for hospital and medical care and attention and medication and other expenses, all to her further damage.

22. This action falls within one or more of the exceptions set forth in CPLR Section 1602.

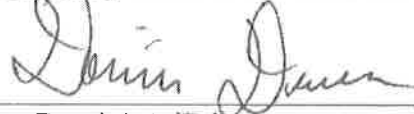
23. That, by reason of the foregoing, the plaintiff has sustained damages in an amount in excess of the maximum monetary jurisdiction of all lower courts of the State of New York.

WHEREFORE, plaintiff demands judgment against the defendant in the First Cause of Action in an amount in excess of the maximum monetary jurisdiction of all lower courts of the State of New York, together with interest, and the costs and disbursements of this action.

Dated: Garden City, New York  
February 18, 2020

Yours, etc.

Decolator, Cohen & DiPrisco, LLP



By: Dominic DiPrisco, Esq.  
Attorneys for Plaintiff  
1399 Franklin Avenue, Suite 300  
Garden City, New York 11530  
(516) 742-6575



NYSCEF DOC NO. 1  
NYSCEF  
RECEIVED NYSCEF: 02/20/2020

Check Applicable Box

☐ By Attorney  
☒ Attorney's Affirmation  
I, the undersigned, an attorney admitted to practice in the courts of New York State, certify that the within has been compared by me with the original and found to be a true and complete copy.  
state that I am the attorney(s) of record for Plaintiff  
action; I have read the foregoing Summons and Complaint and know the contents thereof; the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe it to be true. The reason this verification is made by me and not by plaintiff is because the plaintiff resides

in a county other than the one in which your deponent maintains his office.  
The grounds of my belief as to all matters not stated upon my own knowledge are as follows: conversations with plaintiff and office records.

I affirm that the foregoing statements are true, under the penalties of perjury.  
Dated: New York City, New York; February 20, 2020 ss.:  
STATE OF NEW YORK, COUNTY OF

I, the undersigned, being duly sworn, depose and say: I am  
☐ Individual Verification in the action; I have read the foregoing  
and know the contents thereof; the same is true to my own knowledge, except  
☐ Corporate Verification as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.  
the of  
a corporation and a party in the within action; I have read the foregoing  
and know the contents thereof; and the same is true to my own knowledge,  
except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This  
verification is made by me because the above party is a corporation and I am an officer thereof.  
The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on  
The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF ss.:  
I, the undersigned, being sworn, say: I am not a party to the action, am over 18 years of age and reside at  
(If more than one box is checked - indicate after names type of service used.)

On I served the within  
☐ Service By Mail by mailing a copy to each of the following persons at the last known address set forth after each name below.  
☐ Personal Service on Individual by delivering a true copy of each personally to each person named below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein.  
☐ Service by Electronic Means by transmitting a copy to the following persons by ☐ FAX at the telephone number set forth after each name below ☐ E-MAIL at the E-Mail address set forth after each name below, which was designated by the attorney for such purpose, and by mailing a copy to the address set forth after each name.  
☐ Overnight Delivery Service by dispatching a copy by overnight delivery to each of the following persons at the last known address set forth after each name below.

Sworn to before me on  
The name signed must be printed beneath



BETTY-JEAN FORRY,

*Plaintiff,*

-against-

TARGET CORPORATION,

*Defendant.*

SUMMONS AND COMPLAINT

DECOLATOR, COHEN, & DIPRISCO, LLP  
ATTORNEYS AT LAW

Attorneys for

Plaintiff

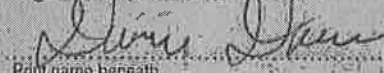
Office and Post Office Address, Telephone  
1399 Franklin Avenue • Suite 300  
GARDEN CITY, NEW YORK 11530

TEL: (516) 742-6575

FAX: (516) 742-6706

To

Signature (Rule 130-14-a)



Print name beneath

Dominic DiPrisco

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
of the within named court, at  
on

of which the within is a true copy will be presented for  
one of the judges

at

M

Dated,

Yours, etc.

DECOLATOR, COHEN, & DIPRISCO, LLP  
ATTORNEYS AT LAW

Attorneys for

To

Attorney(s) for

Office and Post Office Address  
1399 Franklin Avenue • Suite 300  
GARDEN CITY, NEW YORK 11530